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**State of Wisconsin**  
Department of Health and Family Services

**DIVISION OF DISABILITY AND ELDER SERVICES**  
CENTER FOR DELIVERY SYSTEMS DEVELOPMENT

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## **MEMORANDUM**

**DATE:** October 15, 2003

**TO:** All Interested Persons

**FROM:** Monica Deignan, Family Care Program Manager

**SUBJECT:** Family Care Grievances and Appeals

This memo provides the most recent information about how members can exercise their grievance and appeal rights in the Family Care program.

Family Care consumers or their authorized representatives may register appeals and grievances at several levels.

On the local level, consumers and their representatives can ask the CMO or resource center to respond to their concerns informally, or use the formal grievance and appeal process established by the CMO or resource center.

Consumers and their representatives can also register appeals and grievances at the state level, by:

- Requesting review and mediation directly to DHFS, and/or
- Requesting a state fair hearing directly to the Department of Administration/Division of Hearings and Appeals.

Prior to July 2003, the OSF Assistant Area Administrators responded to requests for DHFS review and mediation. Effective July, 2003, DHFS has delegated primary responsibility for DHFS review and mediation of Family Care grievances and appeals to MetaStar, the Department's external quality review organization for Family Care. Family Care consumers or others acting on behalf of the consumer can request DHFS review and mediation orally or in writing at:

DHFS Family Care Complaints  
c/o MetaStar  
2909 Landmark Place  
Madison, WI 53713  
Phone: (888) 203-8338 (HOTLINE)  
Fax: (608) 274-8340  
E-Mail: [famcare@dhfs.state.wi.us](mailto:famcare@dhfs.state.wi.us)

A request for a state fair hearing can be made to the Division of Hearings and Appeals at:

Family Care Request for Fair Hearing  
c/o DOA Division of Hearings and Appeals  
5005 University Avenue, Room 201  
Madison, WI 53705-5400  
Phone: (608) 266-3096  
Fax: (608) 264-9885

Grievances and appeals related to eligibility, entitlement and cost sharing are resolved either through local redetermination or the state fair hearing process administered by the Division of Hearings and Appeals. These should be filed directly with DHA fair hearing, and not with DHFS.

When a request for fair hearing is made, DHFS (CDSD staff) is notified, and, for any fair hearing request not related to eligibility, entitlement, or cost sharing, MetaStar will conduct a concurrent review prior to the hearing to determine if resolution of the issue is possible. Depending on the specific issues involved, MetaStar may sometimes do a concurrent review for a fair hearing request that is related to eligibility, entitlement or cost sharing, if requested by DHFS.

For complete information about CMO obligations related to member rights, see the CMO contract, Article IV, "Member Rights" at:

[www.dhfs.state.wi.us/LTCare/StateFedReqs/FC-RC-CMO-Contracts.htm](http://www.dhfs.state.wi.us/LTCare/StateFedReqs/FC-RC-CMO-Contracts.htm).

For information written for Family Care consumers about their rights in Family Care, see "Being a Full Partner in Family Care" on the Family Care website at:

[www.dhfs.state.wi.us/LTCare/BeingAFullPartner.htm](http://www.dhfs.state.wi.us/LTCare/BeingAFullPartner.htm).

If you have questions please contact Charles Jones at 608/266-0991, email: [jonescm@dhfs.state.wi.us](mailto:jonescm@dhfs.state.wi.us).